

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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CLERK-ALBUQUERQUE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CR. No. 05-1849 JH

DANA JARVIS, et al.

Defendant.

**28 U.S.C. § 1746 DECLARATION OF SUSAN FINLEY**

**I, the undersigned, state as follows:**

1. My name is Susan R. Finley. I am a Property Management Specialist employed by the United States Marshals Service (USMS). In that capacity, I am responsible for the custody, maintenance and sale of property seized and forfeited in New Mexico by the United States Department of Justice. In my capacity as a Property Manager, I was assigned to collect, manage and disburse rental payments received from Harlow's on the Hill, Inc. per the Court's Protective Order entered on November 4, 2005.

2. The Protective Order directed Harlow's on the Hill to make timely lease payments to the USMS from which the USMS would pay the monthly payments on the note held by First State Bank NM.

3. On December 13, 2005, I received a check in the amount of \$4,618.68 from Harlow's on the Hill, through Jay Baum-Lambros for the December rent.

4. On January 23, 2006, I deposited a check in the amount of \$2,957.32 I had received from Mr. Lambros for the January 2006 rent. Mr. Lambros deducted \$2,342.32 for a

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roof repair without discussing this deduction with the me or obtaining approval to conduct such repairs. On February 8, 2006 the \$2,957.32 check was returned for insufficient funds.

5. On February 10, 2006, I deposited a check from Mr. Lambros in the amount of \$5,100.00 for the February 2006 rent. On February 14, 2006, the check was returned for insufficient funds.

6. On March 21, 2006, I deposited a check in the amount of \$14,000.00 from Mr. Lambros for the January, February and March, 2006 rent. The check was returned for insufficient funds on March 27, 2006.

7. On April 5, 2006, Mr. Lambros delivered a check in the amount of \$5,100.00 to the United States Marshal's Service for the April, 2006 rent. Mr. Lambros did not have sufficient funds in his account to cover the check when he delivered it.

8. The USMS has expended funds in the amount of \$6,376.58 to pay the note held by First State Bank NM. To date, Harlow's on the Hill has paid only \$4,618.58 on December 13, 2005 to the USMS.

9. Mr. Lambros has consistently avoided communication and contact with me and has failed to respond to my inquires.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on May 10, 2006.

  
Susan Finley, Property Management Specialist